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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 09/879,532
Applicant (s) : Hoyles, et al.
Filed : June 12, 2001
TC/A.U. : 1712
Examiner : Sellers
Title : EPOXY RESINS AND PROCESS FOR MAKING THE SAME
Docket No. : 60638A
Customer No. : 00109

Confirmation No. 3203

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Beth L. Ramon
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Beth L. Ramon
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10/6/03
DATE OF SIGNATURE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO PAPER NO. 12

In accordance with the undersigned's telephone conversations with Examiner Robert Sellers on October 2 and October 3, 2003, enclosed is the amended Terminal Disclaimer to overcome the provisional rejection based on nonstatutory double patenting ground.

The undersigned thanks Examiner Sellers for his help with the Terminal Disclaimer.

In view of the submitted Terminal Disclaimer, the claims are now in condition for allowance and a Notice of Allowance of Claims 1-3, 5-8, 26, and 30-32 is respectfully requested.

Respectfully submitted,

Nemia C. Damocles
Nemia C. Damocles
Registration No. 28,368
Phone: (989) 636-9928

P.O. Box 1967
Midland, MI 48641-1967

NCD/blr

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TERMINAL DISCLAIMER

The undersigned registered patent attorney or agent states that:

- (1) The undersigned is an attorney or agent of record in Application Serial No. 09/879,532, filed on June 12, 2001, for "EPOXY RESINS AND PROCESS FOR MAKING THE SAME" (the Present Application).
- (2) The undersigned has reviewed the evidentiary assignment documents and, to his/her best knowledge and belief, The Dow Chemical Company, a Delaware corporation, is the sole and common assignee of the following patent properties:
 - (a) The Present Application:
☐ The original documents are recorded at reel_____, frame_____.
☒ The original documents have been submitted to Assignment Branch for recording. A copy of the assignment document(s) is submitted with this Disclaimer.

10/10/2003 SSITHIB1 00000079 041512 09879532
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(b) U.S. Patent No. 6,555,628:

☐ The original documents are recorded at reel _____, frame _____.

☒ The original documents have been submitted to Assignment Branch for recording. A copy of the assignment document(s) is submitted with this Disclaimer.

- (3) On behalf of The Dow Chemical Company, the owner of one hundred (100) percent interest in the instant application, the undersigned disclaims the terminal part of any patent granted on the Present Application which would extend beyond December 14, 2020, which is the expiration date for the full statutory term of prior U.S. Patent No. 6,555,628 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,555,628. This agreement runs with any patent granted on the Present Application and is binding upon the grantee, its successors or assigns.
- (4) The undersigned does not disclaim any terminal part of any patent granted on the Present Application prior to the expiration date of the full statutory term of U.S. Patent No. 6,555,628 in the event that U.S. Patent No. 6,555,628 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, or otherwise expires or is terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.
- (5) Please charge \$110.00 to our Deposit Account No. 04-1512. If this estimate is incorrect, please charge or credit our account accordingly. Two duplicate copies of this sheet are enclosed.

Respectfully submitted,

Nemia C. Damocles

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